

REMARKS

Claims 2-6, 10, and 11 are all the claims pending in the application. 2, 6, 10, and 11 have been amended herein. Claims 1, 7-9 and 12 have been cancelled without prejudice or disclaimer. This Response, submitted in reply to the Office Action dated November 14, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claim Rejections under 35 U.S.C. §112

Claims 6-12 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 7-9 and 12 have been cancelled without prejudice or disclaimer. Claims 6 and 11 have been amended herein, and Applicant respectfully submits that all of the Examiner's concerns have been fully addressed. Therefore, Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections under 35 U.S.C. §102 and §103

Claim 8 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent Publication No. 2001-047525 (hereinafter "JP '525"). Claim 8 has been cancelled without prejudice or disclaimer rendering this rejection moot.

Claims 2 and 4-6 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent Publication No. 11-129713 (hereinafter "JP '713"). Further, claims 2, 3, 5, 7-9, 11, and 12 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent Application Publication No. 2002/0007893 to Koyama et al. (hereinafter "Koyama"). Claims 7-9 and 12

have been cancelled without prejudice or disclaimer rendering their rejection moot. Applicant respectfully traverses the rejections as to the other claims.

Claim 2

Claim 2 recites, *inter alia*:

“...the high-conductive thin annular rubber sheet comprising
a top part extending in a tire width direction on a top face of the first tread rubber portion,
a bottom part extending in the tire width direction under a bottom face of the second tread rubber portion separated by the electrically conductive band and
a middle part extending from an end of the top part in the width direction toward an end of the bottom part in the width direction...”

In other words, an exemplary tire consistent with claim 2 includes a conductive member which has a top portion, which extends on the top face of a tread rubber portion in the tire width direction, a bottom portion which extends under a bottom face of another tread portion, and a middle portion, which connects the top and bottom portions. An exemplary embodiment of this structure is shown in, for example, Fig 3 of the present application.

Turning to the each of the references cited by the Examiner in turn, Applicant respectfully submits that none of the references applied teach the above described structure. Specifically, the conductive member shown in FIG. 3 of JP ‘713, which the Examiner analogizes to the claimed “high-conductive thin annular rubber sheet” does not have any portion which extends “in a tire width direction on a top face of the first tread rubber portion” as claimed. Therefore, Applicant respectfully submits that claim 2 and all claims dependant thereon are patentable over JP ‘713 for at least this reason.

Similarly, the conductive member shown in FIG. 3b of Koyama, which the Examiner analogizes to the claimed “high-conductive thin annular rubber sheet” also has no portion which extends “in a tire width direction on a top face of the first tread rubber portion” as claimed. Instead, Figs. 3a-3d all clearly show the conductive member extending at a non-zero angle to the tire width direction. Further, none of these figures show the conductive portion extending across a face of the tread portion. Therefore, Applicant respectfully submits that claim 2 and all claims dependant thereon are patentable over the applied references for at least this reason.

Claim 11

Further, claim 11 recites, *inter alia*:

“A method of producing a tire comprising:... **winding a thin high-conductive uncured rubber sheet on an outer periphery of a rotating, displacing tire raw member one time to form an uncured electrically conductive band**, the tire raw member comprising the belt and

wherein the electrically conductive band is made of a high-conductive thin annular rubber sheet, ... comprising:

a top part extending on a top face of the first tread rubber portion

a bottom part extending under a bottom face of the second tread rubber portion separated by the electrically conductive band and

a middle part extending from an end of the top part in the width direction toward an end of the bottom part in the width direction...”

Similar, to the arguments discussed above with respect to claim 2, neither reference teaches a method of producing a tire having a “high-conductive thin annular rubber sheet” having the claimed structure by “winding a thin high-conductive uncured rubber sheet on an outer periphery of a rotating, displacing tire raw member one time” as claimed. Therefore, Applicant submits that claim 11 and all claims dependant thereon are patentable for at least this

reason. For the above discussed reasons, Applicant respectfully requests that these rejections be withdrawn.

Claims 4-6 and 10

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koyama in view of JP ‘713. Further, claim 6 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Koyama in view of JP ‘713, U.S. Patent No. 6,951,233 to Calvar et al. (hereinafter “Calvar ‘233”), and U.S. Patent No. 6,834,693 to Calvar et al. (hereinafter “Calvar ‘693”). Further, claim 10 stands rejected under 35 U.S.C. § 103(a) allegedly being unpatentable over Koyama in view of European Patent Application Publication No. 1201397 (hereinafter “EP ‘397”). Applicant respectfully traverses this rejection.

Claims 4-6 and 10 depend from claims 2 and 11, which have been shown above to be patentable over the Koyama and JP ‘713 references. The other cited references do not cure the deficiencies of the Koyama and JP 713 references. Therefore, Applicant respectfully submits that these claims are patentable at least by virtue of their dependency and respectfully requests that the rejection of these claims be withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Michael C. Jones/

Michael C. Jones
Registration No. 63,266

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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